

FRANCIS LAVONTURE AND PIERRE GRIGNON.'

[To accompany Bill H. R. No. 556.]

APRIL 2, 1860.

Mr. C. C. WASHBURN, from the Committee on Private Land Claims,
made the following

REPORT.

The Committee on Private Land Claims, to whom was referred the petition of Daniel Whitney, praying that an act may be passed requiring the Commissioner of the General Land Office to issue a patent for a certain parcel of land, described in the said petition, to the conferee, as in other cases, according to section 5 of the act of 1823, respectfully report:

That they have examined the papers and proofs, and they find that on the 15th day of September, 1823, Francis Lavonture presented to the commissioner appointed in the act of 1823 to hear and determine the claims of persons to tracts of land occupied and cultivated by them in the Green Bay settlement, on the 1st of July, 1812, his claim, and the testimony to support it, to a tract of land described as follows:

"Commencing at low-water mark on Fox river, and running west eighty arpents, or so far as to make said claim contain six hundred and forty acres, as confirmed by said commissioners; and bounded on the south by a certain tract occupied by the United States garrison; west and north by wild or uncultivated lands; and east by Fox river, being 16 arpents in breadth."

And that at the same time Pierre Grignon presented to said commissioners his claim, and testimony to support it, for a tract of land described as follows, viz: "A piece of ground lying and being on the west side of Fox river, Green Bay, immediately below the first creek that empties into said river, about fifteen acres in front on said river, and extending back indefinitely."—(See Am. State Papers on Public Lands, vol. 4, p. 721.)

That the said commissioners decided that the claims be confirmed, and that they were not in conflict with any confirmations before made, (vol. 4 Am. State Papers, Green's edition,) and that they gave their certificate to the correctness of the proceedings had before them. That although by the act those proceedings confirmed and made perfect the title, vesting the same in the said Lavonture and Grignon, yet the said tracts of land were embraced in a report made by the said commissioners to the Secretary of the Treasury upon all the unsettled claims in Michigan.

That the Secretary of the Treasury, instead of executing or carrying into effect the law of 1823, and instead of selecting the doubtful and uncertain claims from those which were confirmed, decided to lay all the claims before Congress, and submit all the decisions of the commissioners to it for supervision, refusing to cause the claims actually confirmed by law to be surveyed, and patents to be issued to the claimants.

That on the 17th of April, 1828, Congress passed an act to confirm certain claims passed upon by the commissioners, excluding those in the county of Michilimackinac, and also certain lands occupied by the United States for military purposes. That about the time of the passage of this act the President of the United States (upon erroneous representations) was induced to make a large military reservation of land, in the vicinity of Fort Howard, at Green Bay, amounting to five or six thousand acres. In this tract was included the land of Francis Lavonture and Pierre Grignon. The confirmatory act of 1828 was therefore of no benefit to them in procuring them the evidence of their title, as the Secretary, after its passage, refused the patent because their land was thus embraced in the reservation.

That the title to the land continues in this condition, although the post, as a military station for troops, has been abandoned, and every part of the reservation has ceased to be occupied for military or government purposes. That the lands are not now required for such purposes, notice having been given, during the year 1854, by the Secretary of War, for their sale; and that no compensation was ever made to the said Francis Lavonture and Pierre Grignon for thus taking their land.

The action of the War Department seems to render it necessary, to relieve the claimants, to pray for an act of Congress in their behalf.

Under these circumstances, your committee herewith report a bill, requiring the Commissioner of the Land Office to cause said tracts of land to be surveyed in the same manner as other private claims to lands at Green Bay, and that he be required to issue a patent to the said Francis Lavonture and Pierre Grignon, their legal representatives and assigns, according to the provisions of the act of 1823, and recommend its passage.